

CT CORPORATION
A Wollersdorfer Company**Service of Process
Transmittal**

12/27/2006

Log Number 511761986

TO: Thomas Nesbitt
Allstate Insurance Company - Nashville MCO
555 Marriott Drive, Suite 850
Nashville, TN, 37214

RE: Process Served in Tennessee

FOR: ALLSTATE INSURANCE COMPANY (Domestic State: IL)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Jerry West, Plff. vs. Allstate Insurance Company a/k/a Allstate Indemnity Company, Dft.

DOCUMENT(S) SERVED: Letter, Summons, Return, Complaint, Oath

COURT/AGENCY: Morgan County Circuit Court, .
Case # 6546C

NATURE OF ACTION: Insurance Litigation - Benefits refused from fire damage - 12/14/2005

ON WHOM PROCESS WAS SERVED: C T Corporation System, Knoxville, TN

DATE AND HOUR OF SERVICE: By Certified Mail on 12/27/2006 postmarked on 12/19/2006

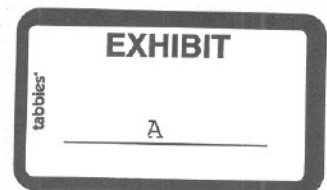
APPEARANCE OR ANSWER DUE: within 30 days after service, exclusive of the date of service

ATTORNEY(S) / SENDER(S): James W. Brooks, Jr.
P.O. Box 180
Warburg, TN, 37887
423-346-8403

REMARKS: Process served/received by the Insurance Commissioner on 12/13/2006, and mailed to CT Corporation System on 12/26/2006.

ACTION ITEMS: SOP Papers with Transmittal, via Fed Ex Priority Overnight, 798073944670

SIGNED: C T Corporation System
ADDRESS: 800 S. Gay Street
Suite 0221
Knoxville, TN, 37929-9710
TELEPHONE: 865-342-3522



Page 1 of 1/BC

Information displayed on this transmittal is for CT Corporation's record keeping purposes only and is provided to the recipient for quick reference. This information does not constitute a legal opinion as to the nature of action, the amount of damages, the answer date, or any information contained in the documents themselves. Recipient is responsible for interpreting said documents and for taking appropriate action. Signatures on certified mail receipts confirm receipt of the package only, not of its contents.



PHIL BREDESEN
GOVERNOR

STATE OF TENNESSEE
DEPARTMENT OF COMMERCE AND INSURANCE
500 JAMES ROBERTSON PARKWAY
NASHVILLE, TN 37243-1131

PAULA A. FLOWERS
COMMISSIONER

December 18, 2006

Allstate Ins Company % C T Corp.
800 South Gay Street, Ste 2021
Knoxville, TN 37929-9710
NAIC # 19232

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7006 0810 0000 4162 9163
Cashier # 6194

Re: Jerry West V. Allstate Ins Company % C T Corp.

Docket # 6546C

To Whom It May Concern:

We are enclosing herewith a document that has been served on this department on your behalf in connection with the above-styled matter.

I hereby make oath that the attached Complaint was served on me on December 13, 2006 by Jerry West pursuant to Tenn. Code Ann. § 56-2-504 or § 56-2-506. A copy of this document is being sent to the Circuit Court of Morgan County, TN.

Paula A. Flowers
Commissioner of Commerce and Insurance

Enclosures

cc: Circuit Court Clerk
Morgan County
P O Box 163
Wartburg, Tn 37887

Service of Process 615.532.5260

STATE OF TENNESSEE
IN THE NINTH JUDICIAL DISTRICT OF MORGAN COUNTY, TENNESSEE
CIRCUIT DIVISION

SUMMONS

JERRY WEST
135 Susack Road
Wartburg, TN 37887,

PLAINTIFF,

VERSUS

ALLSTATE INSURANCE COMPANY,
A/K/A ALLSTATE INDEMNITY COMPANY,
1819 Electric Road
Roanoke, VA 24018,

DEFENDANT.

CIVIL ACTION

NO. 6546 C

To the above named Defendant:

You are hereby summoned and required to serve upon James W. Brooks, Jr., Plaintiff's attorney, whose address is Wilson & Brooks, P.C., Post Office Box 160, Wartburg, Tennessee 37887, an Answer to the Complaint herewith served upon you within thirty (30) days after service of this Summons and Complaint upon you, exclusive of the day of service. A copy of the Answer must be filed with the court either before or within a reasonable time after service. If you fail to do so, Judgment By Default can be taken against you for the relief demanded in the Complaint.

Issued and tested this 07 day of December, 2006.

Pam Lively
CLERK
Barbara Cox
DEPUTY CLERK

NOTICE

To the Defendant:

Tennessee law provides a Four Thousand Dollar (\$4,000.00) personal property exemption from execution or seizure to satisfy a judgment. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the clerk of the court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these include items of necessary wearing apparel for yourself and your family and trunks or other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized, you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer.

SERVICE INFORMATION

To the process server: Defendant, ALLSTATE INSURANCE COMPANY, A/K/A ALLSTATE INDEMNITY COMPANY, can be served upon the TENNESSEE COMMISSIONER OF COMMERCE AND INSURANCE, at 500 JAMES ROBERTSON PARKWAY, NASHVILLE TENNESSEE 37243.

RETURN

I received this Summons on the _____ day of _____, 20____.
I hereby certify and return that on the _____ day of _____, 20____, I:

☐ served this Summons and a Complaint on Defendant, ALLSTATE INSURANCE COMPANY, A/K/A ALLSTATE INDEMNITY COMPANY, in the following manner: _____

☐ failed to serve this Summons within 90 days after its issuance because: _____

PROCESS SERVER



IN THE NINTH JUDICIAL DISTRICT OF MORGAN COUNTY, TENNESSEE
CIRCUIT DIVISION

JERRY WEST
135 Susack Road
Wartburg, TN 37887,

PLAINTIFF,

VERSUS

NO. 6546C

ALLSTATE INSURANCE COMPANY,
A/K/A ALLSTATE INDEMNITY COMPANY,
1819 Electric Road
Roanoke, VA 24018,

DEFENDANT.

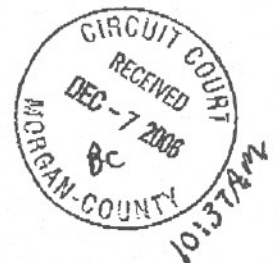
COMPLAINT

Comes the Plaintiff, Jerry West, and for his cause of action against the Defendant would show unto this Honorable Court as follows:

1. That the Plaintiff, Jerry West, is a citizen and resident of Morgan County, Tennessee, residing at 135 Susack Road, Wartburg, Tennessee at all times material to this lawsuit.

2. That the Defendant, Allstate Indemnity Company, a/k/a Allstate Insurance Company, is an insurance company authorized to do business in the State of Tennessee and can be served with process upon the Tennessee Commissioner of Commerce and Insurance.

3. That the Defendant is engaged in the fire insurance business.



4. That the Defendant issued policy number 935347944 to Plaintiff insuring the property of Plaintiff against fire loss on February 24, 2005 and Plaintiff paid the premium as provided in the policy and further complied with the stipulations contained in the policy and in the application of Plaintiff for insurance.

5. That on December 14, 2005, the residence of Plaintiff located at 135 Susack Road, Wartburg, Morgan County, Tennessee, was substantially damaged by fire.

6. That the damage to the dwelling of Plaintiff exceeded the sum of \$75,000.00.

7. That the damage to and loss of the personal property of Plaintiff exceeded \$56,250.00.

8. That on December 19, 2005, Plaintiff furnished Defendant with a sworn proof of loss and has otherwise performed all the conditions of the policy on his part.

9. That Plaintiff has cooperated with the Defendant and its agents and representatives.

10. That Defendant has failed and is now refusing to pay Plaintiff for his loss, or any part thereof, although Plaintiff has made due demand for payment.

PREMISES, CONSIDERED, Plaintiff's demands for judgment are as follows:

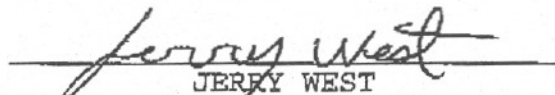
A. That process issue and be served upon the Defendant by serving a copy of this COMPLAINT on the Tennessee Commissioner of Insurance.

B. That Defendant be required to answer within the time prescribed by law and the Tennessee Rules of Civil Procedure.

C. That Plaintiff have and recover a judgment against Defendant for the damage to his dwelling and personal property not to exceed \$131,250.00.

D. That the costs of this cause be taxed to Defendant.

E. That the Plaintiff have such other, further and general relief as to which Plaintiff may be entitled.


JERRY WEST
PLAINTIFF

WILSON & BROOKS, P.C.
ATTORNEYS FOR PLAINTIFF

BY: 

James W. Brooks, Jr.
Attorney at Law
BPR No. 11423
P.O. Box 160
Wartburg, TN 37887
(423) 346-6403

OATH

STATE OF TENNESSEE

COUNTY OF MORGAN

Jerry West, after first being duly sworn according to law, makes oath that he has read the foregoing COMPLAINT and that the facts set forth therein are true to the best of his knowledge, information and belief.

Jerry West
JERRY WEST
PLAINTIFF

Sworn to and subscribed before me this the 7th day of

December, 2006.

James W. Brooks, Jr.
NOTARY PUBLIC

My Commission Expires: 10-20-06

COST BOND

We acknowledge ourselves as surety for all costs, taxes and damages in this case in accordance with Tennessee Code Annotated §20-12-120.

Jerry West
PRINCIPAL

Wilson & Brooks, P.C.
SURETY